UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,413	10/27/2003	Cheryl Phillips	34250-1175	5619

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EXAMINER
LIU, CHIA-YI

ART UNIT	PAPER NUMBER
3692	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/695,413	PHILLIPS ET AL.
	Examiner	Art Unit	
	CHIA-YI LIU	3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _21 April 2008_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-12_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-12_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _5/27/2004, 1/27/2006, 5/12/2006, 10/16/2006, 7/6/2007_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This action is in response to a reply submitted 4/21/2008. Claims 1-12 are

presented for Examination. Applicant has elected Invention I, corresponding to Claims

1-12, without traverse. Applicant has canceled claims 13-40.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3, 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Moore (US 2003/0023557 A1) in view of Morrill, Jr. (US RE39,736 E), and further in

view of Setz et al. (US 2004/0019553 A1).

As per Claim 1

Moore ('557) discloses

> a scanning component that converts the check into an electronic data (digitize
> check) , see Fig 1 (102, 110)
>
> a user interface component that allows the merchant to input a check amount
> associated with the check (the vendor can specify the monetary amount of the
> check using an input means), see paragraph 0027, lines 18-20 and Fig 5 (68, 70
> input, display)
>
> Moore ('557) teaches allowing the merchant to set via the user interface
> component a check amount, see paragraph 0027, lines 18-20, but fails to
> explicitly disclose a processor that allows the merchant to set a default check
> amount thereby allowing the merchant to process in a default check amount
> mode a plurality of accounts receivable checks having the same check amount
> without having to enter the check amount for each of the plurality of accounts

receivable checks. Morrill ('736) teaches setting a default amount to transfer funds, see Fig 1B (preset default amount displayed) and Claim 2 of Morrill. Setz ('553) teaches a default amount based on the value of the previous transaction is used unless the dealer has specified a different amount for the new transaction, see paragraph 0109, lines 5-12. Moore, Morril and Setz are all directed toward financial transaction system. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Moore's invention to include a processor that allows the merchant to set via the user interface component a default check amount thereby allowing the merchant to process in a default check amount mode a plurality of accounts receivable checks having the same check amount without having to enter the check amount for each of the plurality of accounts receivable checks. One would be motivated to do so for the benefit of minimizing the amount of information the merchant must enter to process checks having the same check amount.

As per Claims 2, 8

Moore ('557) further discloses the scanning component is adapted to read the check's magnetic ink character recognition line (MICR number can be electronically scanned when processing a check), see paragraph 0006, lines 7-10, and to obtain an image of at least a portion of the check (digitized check image), see paragraph 0030, lines 10-11 and Fig 1 (102, 110)

As per Claims 3, 9

Moore ('557) teaches allow the merchant to set a check amount, see paragraph 0027, lines 18-20, but fails to explicitly disclose a default amount mode and allow the merchant to disable the default check amount mode by inputting a specific value for the default check amount. Setz ('553) teaches disable a default amount by inputting a specific value for the amount (a default amount based on the value of the previous transaction is used unless the dealer has specified a different amount for the new transaction), see paragraph 0109, lines 5-12. Both Moore and Setz are directed toward financial transaction system. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Moore's invention to include allow the merchant to disable a default check amount mode by inputting a specific value for the default check amount. One would be motivated to do so for the benefit of allowing the merchant to input and process a check with its associated check amount when the amount is not the same as the previous check.

As per Claim 7

Moore ('557) teaches providing via the location-base device an option for the merchant to set a check amount and obtaining via the location-base device an input value from the merchant if the merchant chooses the option for setting the check amount (the vendor can specify the monetary amount of the check using an input means), see paragraph 0027, lines 18-20 and Fig 5 (68, 70 input, display)

Moore ('557) teaches allowing the merchant to set via the user interface component a check amount, see paragraph 0027, lines 18-20, but fails to explicitly disclose setting the input value as the default check amount such that a subsequent check will be processed with the default check amount in a default check amount mode until the default check amount is changed by the merchant. Morrill ('736) teaches setting a default amount to transfer funds, see Fig 1B (preset default amount displayed) and Claim 2 of Morrill. Setz ('553) teaches a default amount based on the value of the previous transaction is used unless the dealer has specified a different amount for the new transaction, see paragraph 0109, lines 5-12. Moore, Morril and Setz are all directed toward financial transaction system. Therefore, the Examiner asserts that it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Moore's invention to include setting the input value as the default check amount such that a subsequent check will be processed with the default check amount in a default check amount mode until the default check amount is changed by the merchant. One would be motivated to do so for the benefit of minimizing the amount of information the merchant must enter to process checks having the same check amount.

Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore (US 2003/0023557 A1) in view of Morrill, Jr. (US RE39,736 E), and further in view of Setz et al. (US 2004/0019553 A1), as applied to claim 1 above, and further in view of Basham et al. (5,757,571).

As per Claims 4, 10

Moore ('557) teaches allow the merchant to set a check amount, see paragraph 0027, lines 18-20, but fails to explicitly disclose a default amount mode and the specific value of zero disables the default check amount mode. Setz ('553) teaches disable a default amount by inputting a specific value for the amount (a default amount based on the value of the previous transaction is used unless the dealer has specified a different amount for the new transaction), see paragraph 0109, lines 5-12. Basham ('571) teaches the specific value of zero disables a default mode (the default value may set to zero if desired to disable), see column 13, lines 53-57. Therefore, the Examiner asserts that it would have been obvious

for one of ordinary skill in the art at the time the invention was made to modify
Moore's invention to include the specific value of zero disables the default check
amount mode. One would be motivated to do so for the benefit of allowing the
merchant to disable the default check amount without having to process the next
check with new amount (amount zero = no transaction is processed).

Claims 5-6, 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Moore (US 2003/0023557 A1) in view of Morrill, Jr. (US RE39,736 E), and further in
view of Setz et al. (US 2004/0019553 A1), as applied to claim 1 above, and further in
view of Belyi et al. (US 2005/0080717 A1)

As per Claims 5, 11

Moore ('557) further discloses a communication component adapted to
communicate with a check processing service that performs an authorization
process for the check based on information associated with the converted check,
see Fig 1 (110, 112, 114, 116, authenticity verification) and paragraph 0045, lines
10-14 (decoded information is compared with archived information stored in the
data base to determine authenticity of a processed check and to aid in identifying
the bearer of a check), Fig 4A and paragraph 0047, lines 8-13, but fails to
explicitly disclose the authorization process includes a risk assessment of the
check. Belyi ('717) teaches the authorization process includes a risk assessment
of the check (payment approval agency assesses the risk associated with the
proffered payments such as check), see paragraph 0007, lines 2-4. Both Moore
and Belyi are directed toward financial transaction system. Therefore, the
Examiner asserts that it would have been obvious for one of ordinary skill in the
art at the time the invention was made to modify Moore's invention to include the
authorization process includes a risk assessment of the check. One would be
motivated to do so for the benefit of lowering the merchant's risk of not getting
the funds he/she is promised due to insufficient funds in customer's checking
account, account delinquency, or fraud by assessing the risk associated with the
proffered payment.

As per Claims 6, 12

Moore ('557) teaches the check processing service performs the authorization
process and notifies the merchant of its decision in a manner that depends at
least on a level of service subscribed by the merchant (Notification of the
authenticity of the check, and of the completion of the reconconciling/settling
transaction is sent from central processing station to the transaction station that
can viewed by the vendor/merchant), see paragraph 0027, lines 28-32, but fails
to explicitly disclose wherein the level of service includes the check processing
service guaranteeing or purchasing check transactions it authorizes thereby

assuming at least some of the risk associated with the check. Belyi ('717)
teaches check processing service guaranteeing or purchasing check transactions
it authorizes thereby assuming at least some of the risk associated with the
check (The level of subscription to such an agency may vary, wherein the agency
may assume the risk of the transaction by either guaranteeing the check or
purchasing the check from the merchant, see paragraph 0007, lines 12-16. Both
Moore and Belyi are directed toward financial transaction system. Therefore, the
Examiner asserts that it would have been obvious for one of ordinary skill in the
art at the time the invention was made to modify Moore's invention to include
check processing service guaranteeing or purchasing check transactions it
authorizes thereby assuming at least some of the risk associated with the check.
One would be motivated to do so for the benefit of lowering the merchant's risk of
not getting the funds he/she is promised due to insufficient funds in customer's
checking account, account delinquency, or fraud by assessing the risk
associated with the proffered payment.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIA-YI LIU whose telephone number is (571)270-1573. The examiner can normally be reached on Mon-Thur alternating Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KAMBIZ ABDI can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHIA-YI LIU
Examiner
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/Susanna M. Diaz/
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